

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

PERKINS, Tami J. and David B.
Debtor.

File No. SM 03-91182
Chapter 7

Colleen M. Olson (P35581
Trustee

**TRUSTEE'S NOTICE OF INTENT TO SELL PERSONAL PROPERTY
AT AUCTION UPON NOTICE AND OPPORTUNITY TO OBJECT**

NOW COMES Colleen M. Olson, Chapter 7 Trustee, and for her Notice of Intent to Sell Personal Property at Auction, states as follows:

1. The above referenced Debtor filed for relief under Chapter 7 of the United States Bankruptcy Code on December 17, 2003.

2. Colleen M. Olson ("Trustee") is the duly appointed and acting Chapter 7 Trustee.

3. The Debtor owns certain personal property more specifically described as a **1998 West-Wright Potter Sailboat and Granges Trailer** (hereinafter "Property").

4. Based on information and belief, the Trustee believes that Property has an approximate value of Eight Thousand (\$8,000.00) Dollars. The lien was unperfected and a consent judgment entered against Greentree Servicing LLC.

5. The Trustee desires to sell the Property at auction, either public or private, to be conducted by an auctioneer to be approved by the Court. The sale shall take place on a date subsequent to any Order entered by the Court approving this Notice.

6. After approval of the sale and without further Order of the Court, the Trustee intends to pay all normal closing costs of the sale, including without limitation, any settlement costs, any commissions and expenses due the Auctioneer, and Trustee's Commission. Remaining funds will be paid to the bankruptcy estate and retained by the Trustee until further Order of the Court.

7. The property shall be sold "**as is, where is**" without representation or warranty, express or implied, of any kind, nature, or description including, without limitation, any warranty of title, or of merchantability, useability, or of fitness for a particular purpose.

8. The sale of the Property shall be conducted under 11 USC 363, and the Property shall be sold free and clear of any claims, liens, or interests. To the extent of any claims, liens, or interests on the Property, the same shall attach to the proceeds of sale in the same order, rank and priority.

9. A response, objection, or request for hearing by a creditor or any interested party must be in writing and filed with the United States Bankruptcy Court for the Western District of Michigan, PO Box 909, Marquette, MI 49855, with copies of the same being served upon Colleen M. Olson, Trustee, Grandview Office Plaza, Suite 2204, 10850 East Traverse Highway, Traverse City, MI 49684.

10. **Pursuant to Local Bankruptcy Rule 9013, if you wish to file a response, objection or request for hearing, it must be filed within twenty (20) days of the date of service of this Notice set forth below. If no response, objection, or request for hearing is timely filed and served as set**

forth in this notice, the Court may grant relief without a hearing. If a response, objection, or request for hearing is timely filed and served as set forth herein, then the Court will consider the matter at a hearing in the Courtroom on a date and at a time to be set by the Court.

11. **NOTICE IS HEREBY GIVEN** that the Court may in its discretion orally continue or adjourn the above matter on the record in open Court. If this occurs, the parties in interest will **NOT** be given further written notice of the continued or adjourned hearing.

Dated: October 1, 2004

/s/ Colleen M. Olson
Colleen M. Olson, Trustee
Grandview Office Plaza, Suite 2204
10850 E. Traverse Highway
Traverse City, MI 49684
Phone: 231-946-6878

Notice Served on: **October 1, 2004.**